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NATIONAL INSURANCE COMPANY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CENTEX HOMES, a Nevada general partnership,

Plaintiff,

v.

NAVIGATORS SPECIALTY INSURANCE COMPANY, a New York corporation; EVEREST NATIONAL INSURANCE COMPANY, a Delaware corporation; INTERSTATE FIRE & CASUALTY COMPANY, an Illinois corporation; LEXINGTON INSURANCE COMPANY, a Delaware corporation; FEDERAL INSURANCE COMPANY, an Indiana corporation; UNDERWRITERS AT LLOYDS LONDON, an England corporation; and ST. PAUL FIRE AND MARINE INSURANCE COMPANY, a Connecticut corporation.

Defendants.

Case No. 2:16-cv-01958-JAD-VCF

**STIPULATION AND ORDER FOR
DISMISSAL OF EVEREST'S CROSS-
CLAIM AGAINST LEXINGTON**

ECF NO. 61, 74

IT IS HEREBY STIPULATED AND AGREED, by and between attorney Joshua Zlotlow of Herold & Sager, counsel for defendant/cross-defendant Lexington Insurance Company, and Theodore J. Kurtz of Selman Breitman LLP, counsel for defendant/cross-claimant Everest National Insurance Company, that the cross-claim of Everest against Lexington be dismissed

1 without prejudice, with each party to pay their own attorneys' fees and costs.

2 DATED: March 1, 2017

HEROLD & SAGER

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10 DATED: March 1, 2017

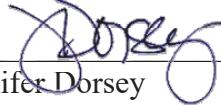
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18 **ORDER**

19 Local Rule 7-1(c) states that "A stipulation that has been signed by fewer than all the parties or
20 their attorneys will be treated—and must be filed—as a joint motion." This stipulation [ECF No.74]
is between defendant/cross-defendant Lexington Insurance Company and defendant/cross-claimant
21 Everest National Insurance Company. Accordingly, I treat it as a joint motion under LR 7-1(c), find
good cause, and **GRANT it [ECF No. 74]**.

22
23 IT IS THEREFORE ORDERED that Everest's cross-claim against Lexington is DISMISSED
with prejudice, each party to bear its own fees and costs, and Lexington's Motion to Dismiss the
24 Cross-claim [ECF No. 61] is DENIED as moot.

25
26 
Jennifer Dorsey
27 U.S. District Judge 3-1-17